IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3509 OF 2005
IN
CRIMINAL REVISION APPLICATION NO.139 OF 2005

M/s. Paras Impex & Ors. ...Applicants

V/s.

The State of Maharashtra & Ors. ...Respondents

Mr.H.S.Murthy with Mr.K.M.Sangani for the Applicants.
Ms.M.M.Deshmukh A.P.P. for the Respondent No.1.
Mr. Niranjan Mundargi for the Respondent No.2.

CORAM : A.S. OKA, J.
DATED : JUNE 15, 2005.

P.C.:

1. Heard Counsel appearing for the parties. Prayer in this Application by the Applicants in the Criminal Revision Application is for directing the Respondent No.2 to deposit a sum of Rs.1,00,000/- which was withdrawn by the Respondent No.2. The learned Counsel appearing for the Respondent No.2 has placed on record a copy of order dated 11th May, 2005 by which the learned Metropolitan Magistrate permitted the Respondent No.2 to withdraw the sum of Rs.1,00,000/-. The Respondent No.2 was also directed by the learned Magistrate to give an undertaking that the Respondent No.2 will obey the final order which may be passed by this Court.

2. Considering the facts and circumstances of the

case, the Order directing the Respondent No.2 to re-deposit the said amount cannot be passed. Interests of justice will be served if the Respondent No.2 is directed to file an undertaking on affidavit in this Court that he will re-deposit the sum of Rs.1,00,000/- alongwith appropriate amount of interest in case this Court directs the Respondent No.2 to do so at the time of final hearing of the Revision Application. The Respondent No.2 will file an undertaking within a period of two weeks from today. The Application is disposed of in above terms. If undertaking is not filed by the Respondent No.2 within a period of two weeks from today, liberty to the Applicants to take out appropriate Application for appropriate relief.

JUDGE